

ORIGINAL

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**ELLINGTON CREDIT FUND, LTD.
AND ECF SPECIAL SECURITIES, LLC,
PLAINTIFFS,**

V.

**SELECT PORTFOLIO, INC.,
MANUFACTURERS AND TRADERS
TRUST COMPANY, MBIA INSURANCE
CORPORATION, MOUNTAIN WEST
REALTY CORP., RESIDENTIAL REAL
ESTATE SERVICES, INC., ALTA REAL
ESTATE SERVICES, INC., AND PELATIS
INSURANCE AGENCY CORP.,
DEFENDANTS.**

CASE NO. 1:08-CV-02437-RJS

**NOTICE OF MOTION FOR
PRO HAC VICE ADMISSION**

PLEASE TAKE NOTICE that upon the annexed Certifications of Paul Francis and Amelia Berg dated April 30, 2008, their Certificates of Good Standing, the Certification of Marc D. Powers dated May 2, 2008, Defendant Manufacturers and Traders Trust Company will move this Court before the Honorable Richard J. Sullivan at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, NY 10007, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern District of New York, for an order allowing the admission of Paul S. Francis and Amelia Berg, members of the firm of Baker & Hostetler, LLP and members in good standing of the Texas Bar, as attorneys pro hac vice to argue or try this case in whole or in part as co-lead counsel to Defendant Manufacturer and Traders Trust Company.

FILED
U.S. DISTRICT COURT
S.D. OF N.Y.
2008 MAY -5 PM 11:03

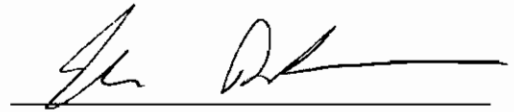
MAY 05 2008

6949730 & 50

Dated: New York, New York
May 2, 2008

Respectfully submitted,

BAKER & HOSTETLER LLP

A handwritten signature in black ink, appearing to read 'M. Powers', is written over a horizontal line.

Marc D. Powers (MDP-1528)
45 Rockefeller Plaza
New York, NY 10111
(212) 589-4216
(212) 589-4201 (Facsimile)
mpowers@bakerlaw.com

Attorneys for Defendant
Manufacturer and Traders Trust
Company

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELLINGTON CREDIT FUND, LTD.
AND ECF SPECIAL SECURITIES, LLC

Plaintiffs,

-against-

SELECT PORTFOLIO SERVICING, INC.,
MANUFACTURERS AND TRADERS
TRUST COMPANY, MBIA INSURANCE
CORPORATION, MOUNTAIN WEST
REALTY CORP., RESIDENTIAL REAL
ESTATE SERVICES, INC., ALTA REAL
ESTATE SERVICES, INC. AND PELATIS
INSURANCE AGENCY CORP.,

Defendants.

1:08 CV 02437 (RJS)

CERTIFICATE OF SERVICE

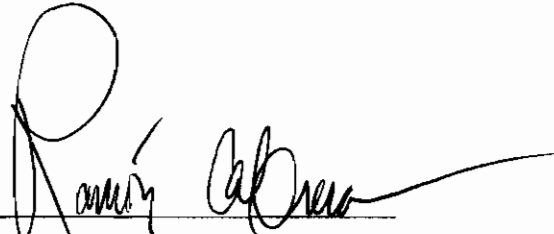
I, RAMON CABRERA, hereby certify that on this the 5th day of May, 2008, I served a true copy of a **Notice Of Motion For Pro Hac Vice Admission, Certification In Support Of Pro Hac Vice Motion, Affidavit In Support Of Pro Hac Vice Motion** for Amelia G. Berg, **Affidavit In Support Of Pro Hac Vice Motion** for Paul S. Francis, and **Proposed Order On Pro Hac Vice Motion** by enclosing the aforementioned documents into a first-class post-paid properly addressed wrapper and depositing same into an official depository under the exclusive care and custody of the United States Postal Service within the State of New York on the following counsel:

Mark K. Glasser
Penn C. Huston
King & Spalding L.L.P.
1100 Louisiana
Houston, TX 77002

Patricia B. Tomasco
Brown McCarroll, LLP
111 Congress Avenue
Suite 1400
Austin, TX 78701

Joseph N. Froehlich
Lord, Bissell & Brook, LLP
885 Third Avenue, 26th Flr.
New York, NY 10022-4802

Thomas G. Yoxall
Locke Lord Bissell & Liddell, LLP
2200 Ross Avenue
Suite 2200
Dallas, TX 75201-6776



Ramon Cabrera
Paralegal

ORIGINAL

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
(FOLEY SQUARE)**

§
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ELLINGTON CREDIT FUND, LTD. §
AND ECF SPECIAL SECURITIES, LLC §
PLAINTIFFS §

V. §

SELECT PORTFOLIO, INC., §
MANUFACTURERS AND TRADERS §
TRUST COMPANY, MBIA INSURANCE §
CORPORATION, MOUNTAIN WEST §
REALTY CORP., RESIDENTIAL REAL §
ESTATE SERVICES, INC., ALTA REAL §
ESTATE SERVICES, INC., AND PELATIS §
INSURANCE AGENCY CORP. §
DEFENDANTS §

CASE NO. 1:08-CV-02437-RJS

**AFFIDAVIT IN SUPPORT OF
PRO HAC VICE MOTION**

FILED
U.S. DISTRICT COURT
2008 MAY -5 AM 11:52
S.D. OF N.Y.

STATE OF TEXAS)
) ss:
COUNTY OF HARRIS)

Amelia G. Berg, being duly sworn, hereby deposes and says as follows:

1. Pursuant to Local Civil Rule 1.3(c) of the Rules of the United States District Courts for the Southern and Eastern Districts of New York, I seek admission *pro hac vice* to represent Defendant Manufacturer and Traders Trust Company in this action.

2. I am and have been a member in good standing of the State of Texas Bar since 1973, the United States District Courts for the Southern, Northern, Eastern and Western Districts of Texas and the United States Supreme Court. Attached hereto as Exhibit A is an original Certificate of Good Standing from the Texas Supreme Court, dated April 29, 2008.

3. I am currently an Associate with the firm Baker & Hostetler, LLP, 1000 Louisiana, Suite 2000, Houston, Tx 77002, telephone number (713) 646-1361. I regularly represent litigants in Texas' federal and state courts.

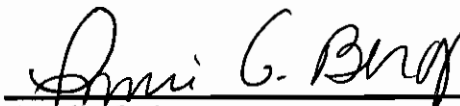
4. The law firm of Baker & Hostetler, LLP has been retained to defend the Manufacturer and Traders Trust Company against claims made in litigation pending in the United States District Courts for the Southern District of New York.

5. I hereby certify that I have studied the Local Civil Rules for the Southern District of New York.

6. If admitted to practice *pro hac vice* in this matter, I will conduct myself in the manner required of attorneys so admitted.


7. Accordingly, I respectfully request permission to be admitted *pro hac vice* to practice and participate in the above-captioned action as counsel for Defendant Manufacturer and Traders Trust Company.

Respectfully submitted,



Amelia G. Berg
BAKER & HOSTETLER, LLP
1000 Louisiana, Suite 2000
Houston, Texas 77002
Tele.: (713) 646-1361
Fax.: (713) 751-1717
Email: aberg@bakerlaw.com

SWORN TO AND SUBSCRIBED before me this 30 day of April, 2008.


Notary Public In and For The
State of Texas



The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

Amelia G. Berg

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 3rd day of November, 1999.

I further certify that the records of this office show that, as of this date

Amelia G. Berg

is presently enrolled with the State Bar of Texas as an active member in good standing.

IN TESTIMONY WHEREOF witness my hand

and the seal of the Supreme Court of
Texas at the City of Austin, this, the
29th day of April, 2008.

BLAKE HAWTHORNE, Clerk

by *Brad Sonogo*
Brad Sonogo, Deputy Clerk

No. 0429I

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELLINGTON CREDIT FUND, LTD.
AND ECF SPECIAL SECURITIES, LLC

Plaintiffs,

-against-

SELECT PORTFOLIO SERVICING, INC.,
MANUFACTURERS AND TRADERS
TRUST COMPANY, MBLA INSURANCE
CORPORATION, MOUNTAIN WEST
REALTY CORP., RESIDENTIAL REAL
ESTATE SERVICES, INC., ALTA REAL
ESTATE SERVICES, INC. AND PELATIS
INSURANCE AGENCY CORP.,

Defendants.

1:08 CV 02437 (RJS)

CERTIFICATE OF SERVICE

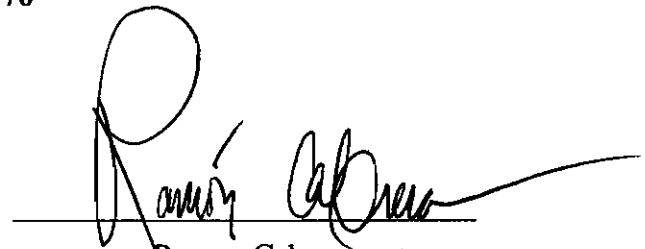
I, RAMON CABRERA, hereby certify that on this the 5th day of May, 2008, I served a true copy of a **Notice Of Motion For Pro Hac Vice Admission, Certification In Support Of Pro Hac Vice Motion, Affidavit In Support Of Pro Hac Vice Motion** for Amelia G. Berg, **Affidavit In Support Of Pro Hac Vice Motion** for Paul S. Francis, and **Proposed Order On Pro Hac Vice Motion** by enclosing the aforementioned documents into a first-class post-paid properly addressed wrapper and depositing same into an official depository under the exclusive care and custody of the United States Postal Service within the State of New York on the following counsel:

Mark K. Glasser
Penn C. Huston
King & Spalding L.L.P.
1100 Louisiana
Houston, TX 77002

Patricia B. Tomasco
Brown McCarroll, LLP
111 Congress Avenue
Suite 1400
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885 Third Avenue, 26th Flr.
New York, NY 10022-4802

Thomas G. Yoxall
Locke Lord Bissell & Liddell, LLP
2200 Ross Avenue
Suite 2200
Dallas, TX 75201-6776



Ramon Cabrera
Paralegal

ORIGINAL

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
(FOLEY SQUARE)**

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ELLINGTON CREDIT FUND, LTD.
AND ECF SPECIAL SECURITIES, LLC
PLAINTIFFS §
§
§

V. §

CASE NO. 1:08-CV-02437-RJS

SELECT PORTFOLIO, INC.,
MANUFACTURERS AND TRADERS
TRUST COMPANY, MBIA INSURANCE
CORPORATION, MOUNTAIN WEST
REALTY CORP., RESIDENTIAL REAL
ESTATE SERVICES, INC., ALTA REAL
ESTATE SERVICES, INC., AND PELATIS
INSURANCE AGENCY CORP.
DEFENDANTS §
§
§

**AFFIDAVIT IN SUPPORT OF
PRO HAC VICE MOTION**

FILED
U.S. DISTRICT COURT
2008 MAY -5 AM 11:52
S.D. OF N.Y.

STATE OF TEXAS)
) ss:
COUNTY OF HARRIS)

Paul S. Francis, being duly sworn, hereby deposes and says as follows:

1. Pursuant to Local Civil Rule 1.3(c) of the Rules of the United States District Courts for the Southern and Eastern Districts of New York, I seek admission *pro hac vice* to represent Defendant Manufacturer and Traders Trust Company in this action.

2. I am and have been a member in good standing of the State of Texas Bar since 1973, the United States District Courts for the Southern, Northern, Eastern and Western Districts of Texas and the United States Courts of the Appeals for the Fifth and Eleventh Circuits and the United States Supreme Court. Attached hereto as Exhibit A is an original Certificate of Good Standing from the Texas Supreme Court, dated April 29, 2008.

3. I am currently a Partner with the firm Baker & Hostetler, LLP, 1000 Louisiana, Suite 2000, Houston, Tx 77002, telephone number (713) 646-1334. I regularly represent litigants in Texas' federal and state courts.

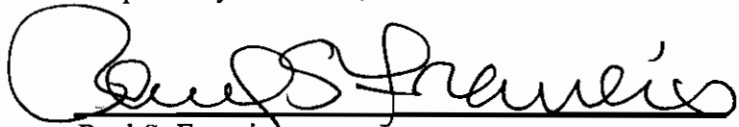
4. The law firm of Baker & Hostetler, LLP has been retained to defend the Manufacturer and Traders Trust Company against claims made in litigation pending in the United States District Courts for the Southern District of New York.

5. I hereby certify that I have studied the Local Civil Rules for the Southern District of New York.

6. If admitted to practice *pro hac vice* in this matter, I will conduct myself in the manner required of attorneys so admitted.

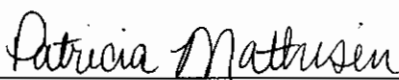
7. Accordingly, I respectfully request permission to be admitted *pro hac vice* to practice and participate in the above-captioned action as counsel for Defendant Manufacturer and Traders Trust Company.

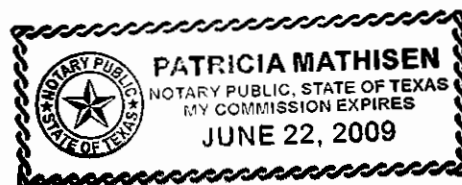
Respectfully submitted,



Paul S. Francis
BAKER & HOSTETLER, LLP
1000 Louisiana, Suite 2000
Houston, Texas 77002
Tele.: (713) 646-1334
Fax.: (713) 751-1717
Email: pfrancis@bakerlaw.com

SWORN TO AND SUBSCRIBED before me this 30 day of April, 2008.


Notary Public In and For The
State of Texas



The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

Paul Sanders Francis

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 24th day of September, 1973.

I further certify that the records of this office show that, as of this date

Paul Sanders Francis

is presently enrolled with the State Bar of Texas as an active member in good standing.

IN TESTIMONY WHEREOF witness my hand
and the seal of the Supreme Court of
Texas at the City of Austin, this, the
29th day of April, 2008.

BLAKE HAWTHORNE, Clerk

by *Brad Sonogo*
Brad Sonogo, Deputy Clerk

No. 0429H

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELLINGTON CREDIT FUND, LTD.
AND ECF SPECIAL SECURITIES, LLC

Plaintiffs,

-against-

SELECT PORTFOLIO SERVICING, INC.,
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TRUST COMPANY, MBIA INSURANCE
CORPORATION, MOUNTAIN WEST
REALTY CORP., RESIDENTIAL REAL
ESTATE SERVICES, INC., ALTA REAL
ESTATE SERVICES, INC. AND PELATIS
INSURANCE AGENCY CORP.,

Defendants.

1:08 CV 02437 (RJS)

CERTIFICATE OF SERVICE

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1100 Louisiana
Houston, TX 77002

ORIGINAL

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
(FOLEY SQUARE)**

	§
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ELLINGTON CREDIT FUND, LTD.	§
AND ECF SPECIAL SECURITIES, LLC	§
PLAINTIFFS	§
	§
V.	§
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SELECT PORTFOLIO, INC.,	§
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TRUST COMPANY, MBIA INSURANCE	§
CORPORATION, MOUNTAIN WEST	§
REALTY CORP., RESIDENTIAL REAL	§
ESTATE SERVICES, INC., ALTA REAL	§
ESTATE SERVICES, INC., AND PELATIS	§
INSURANCE AGENCY CORP.	§
DEFENDANTS	§

CASE NO. 1:08-CV-02437-RJS

**CERTIFICATION IN SUPPORT
OF PRO HAC VICE MOTION**

MARC D. POWERS, states, under penalty of perjury and pursuant to 28 U.S.C. § 1746:

1. I am a member in good standing of the bar of this Court, having been admitted to practice before the Southern District of New York in May 1981.

2. This certification is made in support of a motion seeking the admission ~~pro hac~~ vice in this action, pursuant to Local Civil Rule 1.3 (c) of the United States Court for the Southern District of New York, of Applicants, Paul S. Francis and Amelia Berg.

3. Mr. Francis and Ms. Berg, who have their offices at Baker & Hostetler, LLP, 1000 Louisiana, Suite, 2000, Houston, TX 77002, are counsel for Defendant Manufacturer and Traders Trust Company. They are members in good standing of the Bar of Texas. See Certificates of Good Standing attached to the Certifications of Paul S. Francis and Amelia Berg in support of this motion, submitted herewith.

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
MAY -5 AM 11:53
2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELLINGTON CREDIT FUND, LTD.
AND ECF SPECIAL SECURITIES, LLC

Plaintiffs,

-against-

SELECT PORTFOLIO SERVICING, INC.,
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Defendants.

1:08 CV 02437 (RJS)

CERTIFICATE OF SERVICE

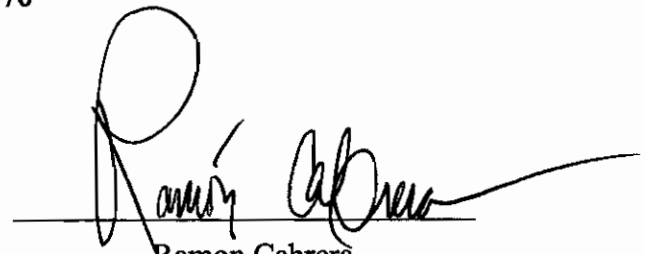
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Ramon Cabrera
Paralegal

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UNITED STATES DISTRICT COURT
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ESTATE SERVICES, INC., AND PELATIS
INSURANCE AGENCY CORP.,
DEFENDANTS.

CASE NO. 1:08-CV-02437-RJS

ORDER ON PRO HAC VICE
MOTION

This matter comes before the Court on Defendant Manufacturer and Traders Trust

Company's motion to admit counsel pro hac vice.

Upon the matters presented to the Court, it is hereby ORDERED that the motion be, and hereby is, GRANTED.

The admitted attorneys, Paul S. Francis and Amelia G. Berg, are permitted to argue or try this particular case in whole or in part as co-lead counsel or advocates for Defendant Manufacturer and Traders Trust Company.

ENTERED this ____ day of _____, 2008.

UNITED STATES DISTRICT JUDGE

FILED
U.S. DISTRICT COURT
S.D. OF N.Y.
2008 MAY -5 PM 11:53

A copy of this order shall be sent to the following:

Marc D. Powers
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, NY 10111
Email: mpowers@bakerlaw.com

-and-

Paul S. Francis
Amelia Berg
Baker & Hostetler, LLP
1000 Louisiana, Suite 2000
Houston, TX 77002
Email: pfrancis@bakerlaw.com
Co-lead Counsel for Defendant Manufacturer and Traders Trust Company

All plaintiffs' and defendants' counsel via ECF